

**EXECUTIVE SUMMARY
FY 2010 APPROPRIATIONS ADJUSTMENTS ACT**

SENATE FILE 2366

FUNDING SUMMARY

DIVISION I

ELDERLY AND DISABLED TAX
CREDIT

DEPARTMENT OF ADMINISTRATIVE
SERVICES

DIVISION II

DEPARTMENT OF CORRECTIONS

STATE PUBLIC DEFENDER

DEPARTMENT OF PUBLIC DEFENSE

JUDICIAL BRANCH

DIVISION III

DEPARTMENT OF EDUCATION

BOARD OF REGENTS

- Makes the following appropriation adjustments:
 - Appropriates FY 2010 General Fund supplementals of \$52.6 million.
 - Deappropriates \$21.5 million from other funding sources.

- Makes a \$1.4 million FY 2010 supplemental appropriation from the General Fund to the Department of Revenue to offset the 10.0% across-the-board reduction to the Elderly and Disabled Tax Credit. (Page 1, Line 3)
- Adds community colleges to the Department of Administrative Services (DAS) setoff procedures for collecting liabilities from claims owed to an individual. (Page 1, Line 16)
- Permits fixtures, equipment, and other unneeded items left in the Mercy Capitol facility to be sold and the proceeds to be applied to operation of the facility. (Page 1, Line 32)

- General Fund supplemental appropriation of \$7.9 million to the Institutions and Community-Based Corrections (CBC) District Departments. These funds are permitted to carry forward to FY 2011. (Page 2, Line 7 through Page 4, Line 22; Page 6, Line 18)
- General Fund supplemental appropriation of \$10.9 million for the Indigent Defense Fund. These funds are permitted to carry forward to FY 2011. (Page 4, Line 23; Page 6, Line 18)
- General Fund supplemental appropriation of \$588,000 to the Military and Homeland Security and Emergency Management Divisions. (Page 5, Line 2 through Page 5, Line 23)
- General Fund deappropriation of \$11.4 million from the Judicial Branch to codify Supreme Court action. (Page 5, Line 24 through Page 6, Line 17)

- General Fund supplemental appropriations of \$10.7 million to ten Department of Education programs:
 - Restores the 10.0% across-the-board (ATB) reduction for selected programs. (Page 7, Line 5 through Page 8, Line 16 and Page 8, Line 27 through Page 9, Line 6)
 - Requires nonreversion of the supplemental appropriation to the Iowa Empowerment Fund for Preschool Tuition Assistance through FY 2011. Permits the supplemental funding for the Preschool Tuition Assistance grant funding distributed to local area boards to be carried forward without a reduction for exceeding the carry forward limitation. (Page 7, Line 15)
 - Restores funding for the Community Colleges to the FY 2006 level. (Page 8, Line 17)
- General Fund supplemental appropriations of \$30.4 million to restore funding for the three Regents universities to the FY 2006 level. (Page 9, Line 19 through Page 9, Line 31)
- General Fund supplemental appropriation of \$922,000 to the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. (Page 9, Line 32 and Page 10, Line 4)

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DIVISION IV

LEGISLATIVE BRANCH

STATE-FEDERAL RELATIONS

TRANSFERS

- Increases the FY 2010 reduction to the appropriation for the General Assembly and legislative agencies by \$3.3 million. This equals 10.0% of the FY 2010 appropriation. (Page 10, Line 15)
- Increases the number of FTE positions by 1.0 for a position funded by allocations from other State agencies. (Page 10, Line 23)
- Authorizes transfers made from Iowa College Student Aid Commission Scholarship and Tuition Grant Reserve Fund and the Medicaid Fraud Account. (Page 10, Line 33 to Page 12, Line 7)

DIVISION V

DEPARTMENT OF PUBLIC HEALTH

- General Fund supplemental appropriations of \$4.4 million to the Department of Public Health (DPH) to replace the reductions in State funding due to Executive Order Number 19. The supplemental appropriations include:
 - \$2.6 million for Addictive Disorders. (Page 12, Line 22)
 - \$329,000 for Healthy Children and Families. (Page 12, Line 28)
 - \$322,000 for Chronic Conditions. (Page 12, Line 33)
 - \$23,000 for Community Capacity. (Page 13, Line 3)
 - \$835,000 for Elderly Wellness. (Page 13, Line 8)
 - \$66,000 for Environmental Hazards. (Page 13, Line 13)
 - \$138,000 for Infectious Diseases. (Page 13, Line 18)
 - \$23,000 for Public Protection. (Page 13, Line 23)
 - \$21,000 for the Center for Congenital and Inherited Disorders Central Registry. (Page 13, Line 28)

DIVISION VI

DEPARTMENT OF HUMAN
SERVICES

- General Fund supplemental appropriations of \$100,000 for the Mental Health State Cases Program. (Page 14, Line 10)
- Allocates \$1.0 million from the Juvenile Detention Fund to the Juvenile Delinquent Graduated Services to restore the 10.0% ATB reduction in FY 2010. (Page 14, Line 15)
- Allocates unexpended funding from decategorization projects of \$1.0 million from FY 2009 to the Juvenile Detention Fund to restore the 10.0% ATB reduction in FY 2010. (Page 14, Line 28)

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DIVISION VII

MEDICAID – NURSING FACILITIES

- Suspends the Nursing Facility Pay-for-Performance Program. (Page 15, Line 21)
- Modifies the way patient days and bed holds are calculated for non-State owned nursing facilities to revert to original FY 2010 methodology before the 10.0% ATB. (Page 15, Line 29 through Page 17, Line 3)
- Provides a \$2.3 million supplemental appropriation to the nursing facilities to restore up to 2.0% of the 5.0% reduction they received as part of the ATB. (Page 17, Line 4 through Page 17, Line 23)
- Specifies the Division is contingent upon approval of the quality assurance fee by the US Department of Health and Human Services. (Page 17, Line 24)

DIVISION VIII

**INFRASTRUCTURE
APPROPRIATIONS ADJUSTMENTS
FY 2008 RIIF APPROPRIATIONS**

- Generally, these changes represent funding adjustments of \$23.8 million in reductions to appropriations from the Rebuild Iowa Infrastructure Fund (RIIF).
- Reduces the FY 2008 appropriation to the Department of Corrections for lease purchase agreement for an upgrade to the electrical system for Fort Madison from \$333,000 to \$305,000. (Page 18, Line 7)
- Reduces the FY 2008 appropriation the Department of Human Services (DHS) for improvements to nursing home facilities from \$1.0 million to \$200,000. This is in addition to the elimination of the \$600,000 FY 2009 RIIF appropriation for the same purpose, for a total reduction of \$1.4 million. (Page 18, Line 14 and Page 19, Line 10)

FY 2009 RIIF APPROPRIATIONS

- Eliminates the entire FY 2009 appropriation of \$200,000 to the DAS for costs associated with developing a request for proposal for the human resources module of the Integrated Information for Iowa (I/3) System. (Page 18, Line 22)
- Reduces the FY 2009 appropriation to the Department of Corrections for the study related to relocating and expanding the Fifth Judicial District CBC Facility from \$200,000 to \$97,000. (Page 18, Line 31)
- Reduces the FY 2009 appropriation to the Department of Cultural Affairs for the repair of the historic Kimball pipe organ from \$80,000 to \$55,000. (Page 19, Line 3)
- Eliminates the entire FY 2009 appropriation of \$600,000 to the DHS for improvements to nursing home facilities. This is in addition to the reduction of the FY 2008 appropriation for the same purposes for a total reduction of \$1.4 million. (Page 19, Line 10)
- Eliminates the entire FY 2009 appropriation of \$50,000 to the DHS for a child care provider health insurance study. (Page 19, Line 16)
- Reduces the FY 2009 appropriation to the Department of Natural Resources for a grant to the City of Marion to study plasma arc technology from \$150,000 to \$135,000. (Page 19, Line 22)

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DIVISION VIII (CONTINUED)

GROW IOWA VALUES FUND

**RETROACTIVE APPLICABILITY
DATE**

EFFECTIVE DATE

ENACTMENT DATE

- Reduces the FY 2010 appropriation to the Grow Iowa Values Fund from \$45.0 million to \$23.0 million. Other language relating to the Grow Iowa Values Fund appropriation is changed accordingly. (Page 20, Line 5 through Page 21, Line 7)
- Reduces the FY 2010 allocation from the Grow Iowa Values Fund to the Department of Economic Development from \$28.8 million to \$6.8 million to adjust for the overall reduction in the FY 2010 RIIF appropriation to the Grow Iowa Values Fund. (Page 21, Line 8)
- The provisions related to transfers involving the College Student Aid Commission and the Department of Inspections and Appeals are retroactive to December 14, 2009. (Page 11, Line 35)
- This Act is effective on enactment.
- This Act was approved by the General Assembly on March 17, 2010, and signed by the Governor on April 15, 2010.

Senate File 2366 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
1	16	2	Adds	Sec. 8A.504(2)	Community College Setoff Procedures
5	24	7	Amends	Sec. 1.1, Chap. 172 as amended	Judicial Branch Appropriation Decrease
6	18	8	Nwthstnd	Sec. 8.33	Nonreversion of State Public Defender
7	15	9	Nwthstnds	Sec. 8.33 and any other provision of law	Nonreversion of School Ready Children Grants
10	5	11	Nwthstnd	Sec. 8.33	Nonreversion of Higher Education Supplemental Appropriations
10	15	12	Amends	Sec. 3.1, Chap. 179, 2009 Iowa Acts	Reduction to Legislative Branch Appropriation
10	23	13	Amends	Sec. 10.5, Chap. 181, 2009 Iowa Acts	State-Federal Relations FTE Positions Increase
10	33	14	Nwthstnd	Sec. 261.20	Fund Transfer Legalization
14	15	19	Amends	Sec. 19, Chap. 182, 2009 Iowa Acts	Juvenile Detention Home Fund
14	28	19	Amends	Sec. 19, Chap. 182, 2009 Iowa Acts	Juvenile Detention Fund
15	21	20	Amends	Sec. 4.4, Chap. 192, 2001 Iowa Acts	Pay-for-Performance
17	4	22	Nwthstnd	ALL	Nursing Facility Quality Assurance Trust Fund
18	7	24	Amends	Sec. 1.3, Chap. 219, 2007 Iowa Acts	FY 2008 Appropriation Adjustment for DOC
18	14	25	Amends	Sec. 1.7, Chap. 219, 2007 Iowa Acts	FY 2008 Appropriation Adjustment for DHS
18	22	26	Amends	Sec. 1.1, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DAS
18	31	27	Amends	Sec. 1.3, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DOC
19	3	28	Amends	Sec. 1.4, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DCA

Page #	Line #	Bill Section	Action	Code Section	Description
19	10	29	Amends	Sec. 1.7, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DHS
19	16	29	Amends	Sec. 1.7, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DHS
19	22	30	Amends	Sec. 1.9, Chap. 1179, 2008 Iowa Acts	FY 2009 Appropriation Adjustment for DNR
19	30	31	Adds	Sec. 10, Chapter 179, 2009 Iowa Acts and Sec. 8.33	State Training School Repair
20	5	32	Amends	Sec. 5, Chap. 184, 2009 Iowa Acts	FY 2010 Appropriation Adjustment for Grow Iowa Values Fund
20	18	33	Amends	Sec. 7, Chap. 184, 2009 Iowa Acts	FY 2010 Appropriation Adjustment for Grow Iowa Values Fund
20	31	34	Amends	Sec. 8, Chap. 184, 2009 Iowa Acts	Conforming Language for Appropriation Adjustment
21	8	35	Amends	Sec. 8.1, Chap. 184, 2009 Iowa Acts	Reduces Allocation from Grow Iowa Values Fund to DED

1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION

1 3 Section 1. ELDERLY AND DISABLED TAX CREDIT. After applying
1 4 the reduction made pursuant to executive order number 19 issued
1 5 October 8, 2009, to the appropriation made for the following
1 6 designated purpose, there is appropriated from the general fund
1 7 of the state to the department of revenue for the fiscal year
1 8 beginning July 1, 2009, and ending June 30, 2010, the following
1 9 amount, or so much thereof as is necessary, to be used for the
1 10 purpose designated:
1 11 For implementing the elderly and disabled tax credit and
1 12 reimbursement pursuant to sections 425.16 through 425.39, to
1 13 supplement the amount appropriated in 2009 Iowa Acts, chapter
1 14 179, section 9, subsection 2, paragraph "d":
1 15 \$ 1,426,000

General Fund supplemental appropriation to the Department of Revenue to backfill the 10.00% across-the-board (ATB) reduction to the General Fund portion of the funding for the Elderly and Disabled Tax Credit and Reimbursement.

1 16 Sec. 2. Section 8A.504, subsection 2, Code 2009, is amended
1 17 by adding the following new paragraph:
1 18 NEW PARAGRAPH . k. If the alleged liability is owing and
1 19 payable to a community college and setoff pursuant to this
1 20 section is sought, both of the following shall apply:
1 21 (1) In addition to satisfying other applicable setoff
1 22 procedures established under this subsection, the community
1 23 college shall prescribe procedures to permit a person to
1 24 contest the amount of the person's liability to the community
1 25 college. Such procedures shall be consistent with and ensure
1 26 the protection of the person's right of due process under Iowa
1 27 law.
1 28 (2) The collection entity shall, except for the procedures
1 29 prescribed pursuant to subparagraph (1), prescribe any other
1 30 applicable procedures concerning setoff as provided in this
1 31 subsection.

CODE: Requires community colleges to prescribe to setoff procedures to permit a person to contest the amount of liability to a community college.

FISCAL IMPACT: No significant impact.

1 32 Sec. 3. FORMER MERCY CAPITOL FACILITIES. The department

Permits the Department of Administrative Services (DAS) to sell

1 33 of administrative services may sell fixtures, equipment, or
 1 34 other items remaining at the former Mercy capitol facilities
 1 35 that the department has determined will not be retained for
 2 1 use by the state. Any proceeds realized from the sale of the
 2 2 fixtures, equipment, or other items are appropriated to the
 2 3 department to be used for the costs of occupying and operating
 2 4 the facilities.

fixtures, equipment, or other items remaining at the Mercy Capitol facility that will not be used by the State. The DAS may retain proceeds from sales for the cost of operating and maintaining the facility.

DETAIL: No significant impact.

2 5 DIVISION II
 2 6 JUSTICE SYSTEM

2 7 Sec. 4. DEPARTMENT OF CORRECTIONS. After applying the
 2 8 reduction made pursuant to executive order number 19 issued
 2 9 October 8, 2009, to the appropriations made for the following
 2 10 designated purposes, and the transfers made to and from the
 2 11 appropriations pursuant to the authority in section 8.39
 2 12 and addressed in the notice of appropriation transfer from
 2 13 the department of management dated December 23, 2009, there
 2 14 is appropriated from the general fund of the state to the
 2 15 department of corrections for the fiscal year beginning July 1,
 2 16 2009, and ending June 30, 2010, the following amounts, or so
 2 17 much thereof as is necessary, to supplement the appropriations
 2 18 made for the following designated purposes:

2 19 1. For the operation of adult correctional institutions in
 2 20 2009 Iowa Acts, chapter 178, section 3, subsection 1, to be
 2 21 allocated as follows:

2 22 a. For the operation of the Fort Madison correctional
 2 23 facility in 2009 Iowa Acts, chapter 178, section 3, subsection
 2 24 1, paragraph "a":
 2 25 \$ 764,048

General Fund supplemental appropriation for FY 2010 to the Fort Madison Correctional Facility to partially backfill the 10.00% ATB reduction.

2 26 b. For the operation of the Anamosa correctional facility in

General Fund supplemental appropriation for FY 2010 to the

PG LN	Senate File 2366	Explanation
2 27 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph 2 28 "b": 2 29 \$ 543,179	Anamosa Correctional Facility to partially backfill the 10.00% ATB reduction.	
2 30 c. For the operation of the Oakdale correctional facility in 2 31 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph 2 32 "c": 2 33 \$ 2,650,762	General Fund supplemental appropriation for FY 2010 to the Oakdale Correctional Facility to partially backfill the 10.00% ATB reduction.	
2 34 d. For the operation of the Newton correctional facility in 2 35 2009 Iowa Acts, chapter 178, section 3, subsection 1, paragraph 3 1 "d": 3 2 \$ 526,181	General Fund supplemental appropriation for FY 2010 to the Newton Correctional Facility to partially backfill the 10.00% ATB reduction.	
3 3 e. For the operation of the Mt. Pleasant correctional 3 4 facility in 2009 Iowa Acts, chapter 178, section 3, subsection 3 5 1, paragraph "e": 3 6 \$ 415,980	General Fund supplemental appropriation for FY 2010 to the Mount Pleasant Correctional Facility to partially backfill the 10.00% ATB reduction.	
3 7 f. For the operation of the Rockwell City correctional 3 8 facility in 2009 Iowa Acts, chapter 178, section 3, subsection 3 9 1, paragraph "f": 3 10 \$ 108,833	General Fund supplemental appropriation for FY 2010 to the Rockwell City Correctional Facility to partially backfill the 10.00% ATB reduction.	
3 11 g. For the operation of the Clarinda correctional facility 3 12 in 2009 Iowa Acts, chapter 178, section 3, subsection 1, 3 13 paragraph "g": 3 14 \$ 451,752	General Fund supplemental appropriation for FY 2010 to the Clarinda Correctional Facility to partially backfill the 10.00% ATB reduction.	
3 15 h. For the operation of the Mitchellville correctional 3 16 facility in 2009 Iowa Acts, chapter 178, section 3, subsection 3 17 1, paragraph "h": 3 18 \$ 169,416	General Fund supplemental appropriation for FY 2010 to the Mitchellville Correctional Facility to partially backfill the 10.00% ATB reduction.	

<p>3 19 i. For the operation of the Fort Dodge correctional facility 3 20 in 2009 Iowa Acts, chapter 178, section 3, subsection 1, 3 21 paragraph "i": 3 22 \$ 200,000</p>	<p>General Fund supplemental appropriation for FY 2010 to the Fort Dodge Correctional Facility to partially backfill the 10.00% ATB reduction.</p>
<p>3 23 2. For the judicial district departments of correctional 3 24 services in 2009 Iowa Acts, chapter 178, section 5, subsection 3 25 1, to be allocated as follows:</p>	
<p>3 26 a. For the first judicial district department of 3 27 correctional services in 2009 Iowa Acts, chapter 178, section 3 28 5, subsection 1, paragraph "a": 3 29 \$ 110,275</p>	<p>General Fund supplemental appropriation for FY 2010 to the First Community-Based Corrections (CBC) to partially backfill the 10.00% ATB reduction.</p>
<p>3 30 b. For the second judicial district department of 3 31 correctional services in 2009 Iowa Acts, chapter 178, section 3 32 5, subsection 1, paragraph "b": 3 33 \$ 308,214</p>	<p>General Fund supplemental appropriation for FY 2010 to the Second CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>3 34 c. For the third judicial district department of 3 35 correctional services in 2009 Iowa Acts, chapter 178, section 4 1 5, subsection 1, paragraph "c": 4 2 \$ 18,010</p>	<p>General Fund supplemental appropriation for FY 2010 to the Third CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>4 3 d. For the fourth judicial district department of 4 4 correctional services in 2009 Iowa Acts, chapter 178, section 4 5 5, subsection 1, paragraph "d": 4 6 \$ 76,117</p>	<p>General Fund supplemental appropriation for FY 2010 to the Fourth CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>4 7 e. For the fifth judicial district department of 4 8 correctional services in 2009 Iowa Acts, chapter 178, section 4 9 5, subsection 1, paragraph "e": 4 10 \$ 790,020</p>	<p>General Fund supplemental appropriation for FY 2010 to the Fifth CBC District Department to partially backfill the 10.00% ATB reduction.</p>

<p>4 11 f. For the sixth judicial district department of 4 12 correctional services in 2009 Iowa Acts, chapter 178, section 4 13 5, subsection 1, paragraph "f": 4 14 \$ 302,810</p>	<p>General Fund supplemental appropriation for FY 2010 to the Sixth CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>4 15 g. For the seventh judicial district department of 4 16 correctional services in 2009 Iowa Acts, chapter 178, section 4 17 5, subsection 1, paragraph "g": 4 18 \$ 24,923</p>	<p>General Fund supplemental appropriation for FY 2010 to the Seventh CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>4 19 h. For the eighth judicial district department of 4 20 correctional services in 2009 Iowa Acts, chapter 178, section 4 21 5, subsection 1, paragraph "h": 4 22 \$ 400,850</p>	<p>General Fund supplemental appropriation for FY 2010 to the Eighth CBC District Department to partially backfill the 10.00% ATB reduction.</p>
<p>4 23 Sec. 5. STATE PUBLIC DEFENDER. After applying the reduction 4 24 made pursuant to executive order number 19 issued October 8, 4 25 2009, to the appropriation made for the following designated 4 26 purposes, there is appropriated from the general fund of 4 27 the state to the office of the state public defender of the 4 28 department of inspections and appeals for the fiscal year 4 29 beginning July 1, 2009, and ending June 30, 2010, the following 4 30 amount, or so much thereof as is necessary, to supplement the 4 31 appropriations made for the following designated purposes: 4 32 For the fees of court-appointed attorneys for indigent 4 33 adults and juveniles, in accordance with section 232.141 and 4 34 chapter 815, in 2009 Iowa Acts, chapter 178, section 10, 4 35 subsection 2: 5 1 \$ 10,900,000</p>	<p>General Fund supplemental appropriation for FY 2010 to the Indigent Defense Fund of the Office of the State Public Defender to backfill the 10.00% ATB reduction and provide additional funds based on anticipated expenditures.</p>
<p>5 2 Sec. 6. DEPARTMENT OF PUBLIC DEFENSE. After applying 5 3 the reduction made pursuant to executive order number 19 5 4 issued October 8, 2009, to the appropriations made for the 5 5 following designated purposes, and the transfers made from</p>	

5 6 the appropriations pursuant to the authority in section 8.39
 5 7 and addressed in the notice of appropriation transfer from
 5 8 the department of management dated December 23, 2009, there
 5 9 is appropriated from the general fund of the state to the
 5 10 department of public defense for the fiscal year beginning July
 5 11 1, 2009, and ending June 30, 2010, the following amounts, or so
 5 12 much thereof as is necessary, to supplement the appropriations
 5 13 made for the following designated purposes:

5 14 1. MILITARY DIVISION

5 15 For salaries, support, maintenance, and miscellaneous
 5 16 purposes, in 2009 Iowa Acts, chapter 178, section 13,
 5 17 subsection 1:
 5 18 \$ 526,202

General Fund supplemental appropriation for FY 2010 to the Military Division of the Department of Public Defense to partially backfill the 10.00% ATB reduction.

5 19 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

5 20 For salaries, support, maintenance, and miscellaneous
 5 21 purposes in 2009 Iowa Acts, chapter 178, section 13, subsection
 5 22 2:
 5 23 \$ 61,614

General Fund supplemental appropriation for FY 2010 to the Homeland Security and Emergency Management Division of the Department of Public Defense to partially backfill the 10.00% ATB reduction.

5 24 Sec. 7. 2009 Iowa Acts, chapter 172, section 1, subsection
 5 25 1, as amended by 2009 Iowa Acts, chapter 179, section 66, is
 5 26 amended to read as follows:

5 27 1. There is appropriated from the general fund of the state
 5 28 to the judicial branch for the fiscal year beginning July 1,
 5 29 2009, and ending June 30, 2010, the following amount, or so
 5 30 much thereof as is necessary, to be used for the purposes
 5 31 designated:

5 32 For salaries of supreme court justices, appellate court
 5 33 judges, district court judges, district associate judges,
 5 34 judicial magistrates and staff, state court administrator,
 5 35 clerk of the supreme court, district court administrators,
 6 1 clerks of the district court, juvenile court officers, board of
 6 2 law examiners and board of examiners of shorthand reporters and

CODE: Decreases the FY 2010 General Fund appropriation to the Judicial Branch by 7.10% to codify the Supreme Court's voluntary reduction.

6 3 judicial qualifications commission; receipt and disbursement
 6 4 of child support payments; reimbursement of the auditor
 6 5 of state for expenses incurred in completing audits of the
 6 6 offices of the clerks of the district court during the fiscal
 6 7 year beginning July 1, 2009; and maintenance, equipment, and
 6 8 miscellaneous purposes:
 6 9 \$ 160,184,957
 6 10 148,811,822

6 11 As a condition of receiving an increase to the appropriation
 6 12 made in this section, the judicial branch shall allocate
 6 13 the first \$5,400,000 of the increased amount as follows:
 6 14 \$4,800,000 for the state's required contribution under section
 6 15 602.9104 to the judicial retirement fund, \$350,000 for court
 6 16 debt collection, and \$250,000 for judicial officer and court
 6 17 employee travel reimbursement for civil trials.

Current law.

6 18 Sec. 8. REVERSION. Notwithstanding section 8.33, moneys
 6 19 appropriated in this division of this Act to the department of
 6 20 corrections and to the department of inspections and appeals
 6 21 for the office of the state public defender that remain
 6 22 unencumbered or unobligated at the close of the fiscal year
 6 23 shall not revert but shall remain available for expenditure
 6 24 for the purposes designated until the close of the succeeding
 6 25 fiscal year.

CODE: Requires any FY 2010 year-end General Fund balances from appropriations made to the Department of Corrections and the Office of the State Public Defender to carry forward to FY 2011.

6 26 DIVISION III
 6 27 EDUCATION

6 28 Sec. 9. DEPARTMENT OF EDUCATION. After applying the
 6 29 reduction made pursuant to executive order number 19 issued
 6 30 October 8, 2009, to the appropriations made for the following
 6 31 designated purposes, and the transfers made to and from the
 6 32 appropriations pursuant to the authority in section 8.39 and
 6 33 addressed in the notices of appropriation transfer from the

6 34 department of management dated December 15, 2009, and December
 6 35 23, 2009, there is appropriated from the general fund of the
 7 1 state to the department of education for the fiscal year
 7 2 beginning July 1, 2009, and ending June 30, 2010, the following
 7 3 amounts, or so much thereof as is necessary, to supplement the
 7 4 appropriations made for the following designated purposes:

7 5 1. STATE LIBRARY == ENRICH IOWA PROGRAM

7 6 For the enrich iowa program established under section
 7 7 256.57, in 2009 Iowa Acts, chapter 177, section 6, subsection
 7 8 4, paragraph "b":
 7 9 \$ 179,608

General Fund supplemental appropriation for FY 2010 for the State
 Library's Enrich Iowa Program to backfill the 10.00% ATB reduction.

7 10 2. IOWA EMPOWERMENT FUND == PRESCHOOL TUITION ASSISTANCE

7 11 For deposit in the school ready children grants account of
 7 12 the Iowa empowerment fund created in section 28.9, in 2009 Iowa
 7 13 Acts, chapter 177, section 6, subsection 11, paragraph "a":
 7 14 \$ 877,215

General Fund supplemental appropriation for FY 2010 for School
 Ready Children Grants to backfill the 10.00% ATB reduction.

7 15 Notwithstanding section 8.33, moneys appropriated in this
 7 16 subsection that remain unencumbered or unobligated at the close
 7 17 of the fiscal year shall not revert but shall remain available
 7 18 for expenditure for the purposes designated until the close of
 7 19 the succeeding fiscal year. For the purposes of section 28.8,
 7 20 subsection 5, and section 256I.9, subsection 4, paragraph "e",
 7 21 as enacted by 2010 Iowa Acts, Senate File 2088, section 286,
 7 22 or any other provision of law addressing the percentage of
 7 23 school ready children grant money that can be carried forward
 7 24 to the succeeding fiscal year without a reduction to subsequent
 7 25 grant funding, the amount of school ready children grant moneys
 7 26 distributed to a local area board pursuant to this subsection
 7 27 that are carried forward by the board to the succeeding fiscal
 7 28 year shall be disregarded.

CODE: Requires the supplemental funding for School Ready Children
 Grants not to revert and be carried forward. Future funding is not to
 be reduced because of carrying these funds forward.

7 29 3. FOUR=YEAR=OLD PRESCHOOL PROGRAM

General Fund supplemental appropriation for FY 2010 for the

7 30	For allocation to eligible school districts for the	Voluntary Four-Year-Old Preschool Program to backfill the 10.00%
7 31	four=year=old preschool program under chapter 256C, in 2009	ATB reduction.
7 32	Iowa Acts, chapter 177, section 6, subsection 14:	
7 33 \$ 1,194,569	
7 34	4. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS	General Fund supplemental appropriation for FY 2010 for Textbooks
7 35	To provide moneys for costs of providing textbooks to each	for Nonpublic School Pupils to backfill the 10.00% ATB reduction.
8 1	resident pupil who attends a nonpublic school as authorized	
8 2	by section 301.1, in 2009 Iowa Acts, chapter 177, section 6,	
8 3	subsection 15:	
8 4 \$ 62,563	
8 5	5. CORE CURRICULUM AND CAREER INFORMATION AND	General Fund supplemental appropriation for FY 2010 for the Core
8 6	DECISION=MAKING SYSTEM	Curriculum and Career Information and Decision-making System to
8 7	For purposes of implementing the statewide core curriculum	backfill the 10.00% ATB reduction.
8 8	for school districts and accredited nonpublic schools and a	
8 9	state=designated career information and decision=making system	
8 10	in 2009 Iowa Acts, chapter 177, section 6, subsection 17:	
8 11 \$ 197,954	
8 12	6. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM	General Fund supplemental appropriation for FY 2010 for the Student
8 13	For purposes of the student achievement and teacher quality	Achievement and Teacher Quality Program to backfill the 10.00%
8 14	program established pursuant to chapter 284, in 2009 Iowa Acts,	ATB reduction.
8 15	chapter 177, section 6, subsection 18:	
8 16 \$ 892,428	
8 17	7. COMMUNITY COLLEGES	General Fund supplemental appropriation for FY 2010 for community
8 18	For general state financial aid to merged areas as defined	colleges.
8 19	in section 260C.2 in accordance with chapters 258 and 260C, in	
8 20	2009 Iowa Acts, chapter 177, section 6, subsection 19:	DETAIL: Increases the FY 2010 funding for community colleges to
8 21 \$ 5,943,581	\$149,579,244 when combined with the FY 2010 community colleges
		salaries appropriation. This amount equals the FY 2006 funding level
		for community colleges and is intended to meet maintenance of effort
		requirements for the federal American Recovery and Reinvestment
		Act (ARRA) funding.

8 22 The appropriation made in this subsection shall be allocated
 8 23 to the merged areas in the same proportion as the allocations
 8 24 made to the merged areas in accordance with 2009 Iowa Acts,
 8 25 chapter 177, section 6, subsection 19, bear to the amount
 8 26 appropriated.

Requires the supplemental funding to be allocated proportionately to the FY 2010 funding received by each community college.

8 27 8. PROGRAMS FOR AT=RISK CHILDREN
 8 28 For programs for at-risk children in section 279.51, as
 8 29 limited by 2009 Iowa Acts, chapter 179, section 4, subsection
 8 30 9:
 8 31 \$ 1,149,389

General Fund supplemental appropriation for FY 2010 for programs for at-risk children to backfill the 10.00% ATB to the standing General Fund appropriation.

8 32 9. K=12 MANAGEMENT INFORMATION SYSTEM
 8 33 For the kindergarten to grade twelve management information
 8 34 system in 2009 Iowa Acts, chapter 179, section 156, subsection
 8 35 3, paragraph "b":
 9 1 \$ 23,000

General Fund supplemental appropriation for FY 2010 for the K-12 Management Information System to backfill the 10.00% ATB reduction.

9 2 10. IOWA SENIOR YEAR PLUS PROGRAM
 9 3 For purposes of implementing the senior year plus program
 9 4 established pursuant to section 261E.1, in 2008 Iowa Acts,
 9 5 chapter 1181, section 5, subsection 17:
 9 6 \$ 140,556

General Fund supplemental appropriation for FY 2010 for the Iowa Senior Year Plus Program to backfill the 10.00% ATB reduction.

9 7 Sec. 10. STATE BOARD OF REGENTS. After applying the
 9 8 reduction made pursuant to executive order number 19 issued
 9 9 October 8, 2009, to the appropriations made for the following
 9 10 designated purposes, and the transfers made to and from the
 9 11 appropriations pursuant to the authority in section 8.39 and
 9 12 addressed in the notice of appropriation transfer from the
 9 13 department of management dated December 23, 2009, there is
 9 14 appropriated from the general fund of the state to the state
 9 15 board of regents for the fiscal year beginning July 1, 2009,
 9 16 and ending June 30, 2010, the following amounts, or so much
 9 17 thereof as is necessary, to supplement the appropriations made

9 18 for the following designated purposes:	
9 19 1. STATE UNIVERSITY OF IOWA 9 20 For the general university, including lakeside laboratory 9 21 in 2009 Iowa Acts, chapter 177, section 10, subsection 2, 9 22 paragraph "a": 9 23 \$ 14,371,621	General Fund supplemental appropriation for the University of Iowa general education operations. DETAIL: Increases the FY 2010 funding for the University of Iowa general education operations to \$226,306,403. This amount equals the FY 2006 funding level for the University of Iowa general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.
9 24 2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY 9 25 For the general university in 2009 Iowa Acts, chapter 177, 9 26 section 10, subsection 3, paragraph "a": 9 27 \$ 10,839,521	General Fund supplemental appropriation for the Iowa State University general education operations. DETAIL: Increases the FY 2010 funding for the Iowa State University general education operations to \$177,328,346. This amount equals the FY 2006 funding level for the Iowa State University general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.
9 28 3. UNIVERSITY OF NORTHERN IOWA 9 29 For the general university in 2009 Iowa Acts, chapter 177, 9 30 section 10, subsection 4, paragraph "a": 9 31 \$ 5,227,665	General Fund supplemental appropriation for the University of Northern Iowa general education operations. DETAIL: Increases the FY 2010 funding for the University of Northern Iowa general education operations to \$80,638,563. This amount equals the FY 2006 funding level for the University of Northern Iowa general education operations and is intended to meet maintenance of effort requirements for the federal ARRA funding.
9 32 4. STATE SCHOOL FOR THE DEAF 9 33 For the state school for the deaf in 2009 Iowa Acts, chapter 9 34 177, section 10, subsection 5: 9 35 \$ 583,902	General Fund supplemental appropriation for FY 2010 for the Iowa School for the Deaf to partially backfill the 10.00% ATB reduction.
10 1 5. IOWA BRAILLE AND SIGHT SAVING SCHOOL 10 2 For the Iowa braille and sight saving school in 2009 Iowa	General Fund supplemental appropriation for FY 2010 for the Iowa Braille and Sight Saving School to partially backfill the 10.00% ATB

<p>10 3 Acts, chapter 177, section 10, subsection 6: 10 4 \$ 337,791</p>	<p>reduction.</p>
<p>10 5 Sec. 11. NONREVERSION. Notwithstanding section 8.33, 10 6 moneys appropriated in this division of this Act to the 10 7 department of education for community colleges and to the state 10 8 board of regents for institutions under the control of the 10 9 board that remain unencumbered or unobligated at the close of 10 10 the fiscal year shall not revert but shall remain available for 10 11 expenditure for the purposes designated until the close of the 10 12 succeeding fiscal year.</p>	<p>CODE: Requires nonreversion of the funds appropriated to the community colleges and the Regents institutions.</p>
<p>10 13 DIVISION IV 10 14 GENERAL ASSEMBLY AND MISCELLANEOUS</p>	
<p>10 15 Sec. 12. 2009 Iowa Acts, chapter 179, section 3, subsection 10 16 1, is amended to read as follows: 10 17 1. The appropriations made pursuant to section 2.12 for the 10 18 expenses of the general assembly and legislative agencies for 10 19 the fiscal year beginning July 1, 2009, and ending June 30, 10 20 2010, are reduced by the following amount: 10 21 \$ 4,439,653 10 22 <u>7,780,064</u></p>	<p>CODE: Reduces the General Fund standing appropriation to the Legislative Branch by \$3,340,411. This is 10.00% of the estimated FY 2010 appropriation.</p>
<p>10 23 Sec. 13. 2009 Iowa Acts, chapter 181, section 10, subsection 10 24 5, is amended to read as follows: 10 25 5. STATE=FEDERAL RELATIONS 10 26 For salaries, support, maintenance, and miscellaneous 10 27 purposes for the office for state=federal relations, and for 10 28 not more than the following full=time equivalent positions: 10 29 \$ 46,620 10 30 FTEs 1.00 10 31 <u>2.00</u></p>	<p>CODE: Increases the number of FTE positions for the State-Federal Relations Office. DETAIL: This is an increase of 1.00 FTE position for FY 2010. The position is funded by allocations from other state agencies.</p>
<p>10 32 TRANSFERS</p>	

10 33 Sec. 14. COLLEGE STUDENT AID COMMISSION.
 10 34 1. Notwithstanding section 261.20, for the fiscal year
 10 35 beginning July 1, 2009, and ending June 30, 2010, the following
 11 1 amounts are transferred for distribution to appropriations as
 11 2 provided in subsection 2:
 11 3 a. From the scholarship and tuition grant reserve fund
 11 4 created in section 261.20:
 11 5 \$ 514,180
 11 6 b. From moneys from the tuition grant program,
 11 7 not=for=profit, that would otherwise be deposited in the
 11 8 scholarship and tuition grant reserve fund:
 11 9 \$ 228,490
 11 10 2. The moneys transferred pursuant to subsection 1 are
 11 11 distributed after applying the reductions made pursuant to
 11 12 executive order number 19 issued October 8, 2009, as follows:
 11 13 a. For the Iowa national guard educational assistance
 11 14 program appropriation made in 2009 Iowa Acts, chapter 177,
 11 15 section 2, subsection 4:
 11 16 \$ 241,120
 11 17 b. For the all Iowa opportunity scholarship program
 11 18 appropriation made in 2009 Iowa Acts, chapter 177, section 2,
 11 19 subsection 6:
 11 20 \$ 250,254
 11 21 c. For the vocational=technical tuition grants
 11 22 appropriation made in section 261.25, subsection 3:
 11 23 \$ 251,296

CODE: Notwithstanding Section 261.20 to authorize transfers totaling \$742,670 from the Scholarship and Tuition Grant Reserve Fund and the Not-for-Profit Tuition Grant Program to the Iowa National Guard Educational Assistance Program, the All Iowa Opportunity Scholarship Program, and the Vocational-Technical Tuition Grants.

DETAIL: The appropriation transfer was made as a Section 8.39 transfer in December 2009. This language permits the transfer to be made from a reserve fund as opposed to transfers among appropriations.

11 24 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 11 25 transferred from the Medicaid fraud account created in section
 11 26 249A.7 under the department of inspections and appeals for
 11 27 the fiscal year beginning July 1, 2009, and ending June 30,
 11 28 2010, after applying the reduction made pursuant to executive
 11 29 order number 19 issued October 8, 2009, to the following
 11 30 appropriation:
 11 31 For the investigations division of the department of
 11 32 inspections and appeals in 2009 Iowa Acts, chapter 181, section
 11 33 13, subsection 3:

Transfers \$747,037 from the Medicaid Fraud Account to the Investigation Division of the Department of Inspections and Appeals to offset reductions from the ATB.

11 34 \$ 747,037

11 35 Sec. 16. EFFECTIVE DATE == APPLICABILITY. This section of
12 1 this division of this Act providing for transfers involving
12 2 the college student aid commission and the department of
12 3 inspections and appeals are retroactively applicable to
12 4 December 14, 2009, and apply in lieu of the transfers made for
12 5 the same purposes by the executive branch, as reported by the
12 6 department of management in the transfer notices dated December
12 7 14, 2009.

This Division is effective retroactively to December 14, 2009, and is applied in lieu of transfers made for the same purpose by the Executive Branch.

12 8 DIVISION V
12 9 HEALTH

12 10 Sec. 17. DEPARTMENT OF PUBLIC HEALTH. After applying the
12 11 reduction made pursuant to executive order number 19 issued
12 12 October 8, 2009, to the appropriations made for the following
12 13 designated purposes, and any transfers made to and from the
12 14 appropriations pursuant to the authority in section 8.39
12 15 and addressed in the notice of appropriation transfer from
12 16 the department of management dated December 23, 2009, there
12 17 is appropriated from the general fund of the state to the
12 18 department of public health for the fiscal year beginning July
12 19 1, 2009, and ending June 30, 2010, the following amounts, or so
12 20 much thereof as is necessary, to supplement the appropriations
12 21 made for the following designated purposes:

12 22 1. ADDICTIVE DISORDERS

12 23 For reducing the prevalence of use of tobacco, alcohol, and
12 24 other drugs, and treating individuals affected by addictive
12 25 behaviors, including gambling, in 2009 Iowa Acts, chapter 182,
12 26 section 2, subsection 1:

12 27 \$ 2,627,532

General Fund supplemental appropriation to Addictive Disorders.

DETAIL: Increases the FY 2010 funding as follows:

- \$1,275,871 for substance abuse treatment.
- \$163,548 for substance abuse prevention.
- \$350,000 for tobacco use, prevention, and control.

12 28 2. HEALTHY CHILDREN AND FAMILIES
 12 29 For promoting the optimum health status for children,
 12 30 adolescents from birth through 21 years of age, and families,
 12 31 in 2009 Iowa Acts, chapter 182, section 2, subsection 2:
 12 32 \$ 329,267

- \$723,010 for gambling treatment.
- \$115,103 for three culturally competent substance abuse treatment pilot projects.

General Fund supplemental appropriation to Healthy Children and Families.

DETAIL: Increases the FY 2010 funding as follows:

- \$257,023 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.
- \$22,887 for Oral Health services in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program.
- \$546 for the Assuring Better Child (Mental) Health and Development (ABCD) II Program.
- \$14,364 for childhood obesity prevention.
- \$34,447 for the Audiological Services for Kids Program.

12 33 3. CHRONIC CONDITIONS
 12 34 For serving individuals identified as having chronic
 12 35 conditions or special health care needs in 2009 Iowa Acts,
 13 1 chapter 182, section 2, subsection 3:
 13 2 \$ 321,643

General Fund supplemental appropriation to Chronic Conditions.

DETAIL: Increases the FY 2010 funding as follows:

- \$56,800 for Child Health Specialty Clinics.
- \$1,750 for muscular dystrophy.
- \$29,271 for birth defects.
- \$24,494 for the AIDS Drug Assistance Program (ADAPT).
- \$55,960 for phenylketonuria (PKU) assistance.
- \$10,512 for the Prescription Drug Donation Program.
- \$31,925 for epilepsy education.
- \$28,000 for the Brain Injury Council.

<p>13 3 4. COMMUNITY CAPACITY</p> <p>13 4 For strengthening the health care delivery system at</p> <p>13 5 the local level in 2009 Iowa Acts, chapter 182, section 2,</p> <p>13 6 subsection 4:</p> <p>13 7 \$ 23,000</p> <p>13 8 5. ELDERLY WELLNESS</p> <p>13 9 For promotion of healthy aging and optimization of the</p> <p>13 10 health of older adults in 2009 Iowa Acts, chapter 182, section</p> <p>13 11 2, subsection 5:</p> <p>13 12 \$ 834,578</p> <p>13 13 6. ENVIRONMENTAL HAZARDS</p> <p>13 14 For reducing the public's exposure to hazards in the</p> <p>13 15 environment, in 2009 Iowa Acts, chapter 182, section 2,</p> <p>13 16 subsection 6:</p> <p>13 17 \$ 65,598</p> <p>13 18 7. INFECTIOUS DISEASES</p> <p>13 19 For reducing the incidence and prevalence of communicable</p> <p>13 20 diseases, in 2009 Iowa Acts, chapter 182, section 2, subsection</p> <p>13 21 7:</p> <p>13 22 \$ 138,372</p>	<ul style="list-style-type: none"> • \$21,336 for brain injury services. • \$61,595 for the Comprehensive Cancer Control Program. <p>General Fund supplemental appropriation for FY 2010 to Community Capacity for the Governor's Physical Fitness Council.</p> <p>General Fund supplemental appropriation to Elderly Wellness.</p> <p>DETAIL: Increases the FY 2010 funding as follows:</p> <ul style="list-style-type: none"> • \$229,208 for Local Public Health Nursing services. • \$605,370 for Home Care Aide Services. <p>General Fund supplemental appropriation for FY 2010 for reduction of the public's exposure to environmental hazards.</p> <p>General Fund supplemental appropriation to Infectious Diseases.</p> <p>DETAIL: Increases the FY 2010 funding as follows:</p> <ul style="list-style-type: none"> • \$118,967 for the Vaccine Preventable Diseases for Children Program. • \$6,895 for hepatitis education, treatment, and prevention. • \$5,920 for prescription services for persons with Chlamydia, Gonorrhea, or latent Tuberculosis. • \$3,410 for testing services related to sexually transmitted
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diseases (STD).

- \$3,180 for treatment for Tuberculosis.

13 23 8. PUBLIC PROTECTION

13 24 For protecting the health and safety of the public through
 13 25 establishing standards and enforcing regulations, in 2009 Iowa
 13 26 Acts, chapter 182, section 2, subsection 8:
 13 27 \$ 23,248

General Fund supplemental appropriation for FY 2010 to Public Protection for children sex violence protection programs to restore the ATB reduction.

13 28 9. CENTER FOR CONGENITAL AND INHERITED DISORDERS CENTRAL
 13 29 REGISTRY

13 30 For the center for congenital and inherited disorders
 13 31 central registry to supplement the amount appropriated pursuant
 13 32 to section 144.13A, subsection 4, paragraph "a":
 13 33 \$ 20,684

General Fund supplemental appropriation for FY 2010 to the Congenital and Inherited Disorders Central Registry.

13 34 DIVISION VI
 13 35 HUMAN SERVICES

14 1 Sec. 18. DEPARTMENT OF HUMAN SERVICES == STATE CASES. After
 14 2 applying the reduction made pursuant to executive order number
 14 3 19 issued October 8, 2009, to the appropriation made for the
 14 4 following designated purposes, there is appropriated from the
 14 5 general fund of the state to the department of human services
 14 6 for the fiscal year beginning July 1, 2009, and ending June 30,
 14 7 2010, the following amount, or so much thereof as is necessary,
 14 8 to supplement the appropriation made for the following
 14 9 designated purposes:

14 10 For distribution to counties for state case services
 14 11 for persons with mental illness, mental retardation, and
 14 12 developmental disabilities in accordance with section 331.440,

General Fund supplemental appropriation for FY 2010 to the Mental Health State Cases Program.

14 13 in 2009 Iowa Acts, chapter 182, section 24, subsection 1:
14 14 \$ 100,163

14 15 Sec. 19. 2009 Iowa Acts, chapter 182, section 19, is amended
14 16 to read as follows:
14 17 SEC. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
14 18 in the juvenile detention home fund created in section 232.142
14 19 during the fiscal year beginning July 1, 2009, and ending June
14 20 30, 2010, are appropriated to the department of human services
14 21 for the fiscal year beginning July 1, 2009, and ending June 30,
14 22 2010, to be allocated as follows:

14 23 1. For funding of core department of human services'
14 24 juvenile delinquent graduated sanction services and to replace
14 25 a reduction in state funding of such services made pursuant to
14 26 executive order number 19 issued October 8, 2009:
14 27 \$ 1,000,000

CODE: Directs the first \$1,000,000 allocated by the Department of Human Services (DHS) from the Juvenile Detention Fund to be allocated to the Juvenile Graduated Sanction Services for FY 2010 to replace the ATB reduction.

14 28 2. The remainder for distribution of an amount equal to
14 29 a percentage of the costs of the establishment, improvement,
14 30 operation, and maintenance of county or multicounty juvenile
14 31 detention homes in the fiscal year beginning July 1,
14 32 2008. Moneys ~~appropriated~~ allocated for distribution in
14 33 accordance with this ~~section~~ subsection shall be allocated
14 34 among eligible detention homes, prorated on the basis of an
14 35 eligible detention home's proportion of the costs of all
15 1 eligible detention homes in the fiscal year beginning July
15 2 1, 2008. The percentage figure shall be determined by the
15 3 department based on the amount available for distribution for
15 4 the fund. Notwithstanding section 232.142, subsection 3, the
15 5 financial aid payable by the state under that provision for
15 6 the fiscal year beginning July 1, 2009, shall be limited to
15 7 the amount ~~appropriated~~ allocated for the purposes of this
15 8 ~~section~~ subsection.

15 9 Notwithstanding section 232.188, or any other provision of
15 10 law to the contrary, the first \$1,000,000 of moneys designated
15 11 for decategorization funding projects for the fiscal year

CODE: Amends the requirement that all funds deposited in the Juvenile Detention Fund are to be distributed to the Juvenile Detention Centers to provide for the one-time allocation of \$1,000,000 for the Juvenile Graduated Sanction Services for FY 2010. Allocates unexpended funding from decategorization projects of \$1,000,000 from FY 2009 to the Juvenile Detention Fund to restore the 10.00% ATB reduction in FY 2010. This funding would have otherwise reverted to the General Fund at the end of FY 2010.

15 12 beginning July 1, 2008, remaining unencumbered or unobligated
 15 13 at the close of the fiscal year shall not be used as carryover
 15 14 funding but shall instead be transferred to the juvenile
 15 15 detention home fund and shall be allocated to county and
 15 16 multicounty juvenile detention homes to restore the amount
 15 17 diverted pursuant to subsection 1.

15 18 DIVISION VII
 15 19 HUMAN SERVICES NURSING
 15 20 FACILITY REIMBURSEMENT

15 21 Sec. 20. 2001 Iowa Acts, chapter 192, section 4, subsection
 15 22 4, as amended by 2008 Iowa Acts, chapter 1187, section 33, as
 15 23 amended by 2009 Iowa Acts, chapter 182, section 33, is amended
 15 24 by adding the following new paragraph:
 15 25 NEW PARAGRAPH . i. Pay=for=performance payments shall not
 15 26 be made under this subsection until such time as sufficient
 15 27 funding is available to implement the subsection, as determined
 15 28 by the director of the department of human services.

CODE: Specifies that pay-for-performance bonuses will not be made until funding becomes available.

15 29 Sec. 21. NURSING FACILITY REIMBURSEMENT AND PAYMENT
 15 30 PROCEDURES. Notwithstanding the administrative rule changes
 15 31 made by the department of human services pursuant to executive
 15 32 order number 19 issued October 8, 2009, relating to nursing
 15 33 facility payment procedures, the department shall reinstitute
 15 34 or adopt administrative rules to provide for all of the
 15 35 following:
 16 1 1. For purposes of computation of administrative,
 16 2 environmental, and property expenses, for nonstate owned
 16 3 nursing facilities, patient days shall be inpatient days as
 16 4 determined by 441 IAC 81.6(7), or 85 percent of the licensed
 16 5 capacity of the facility, whichever is greater.
 16 6 2. For purposes of calculation of the capital cost per
 16 7 diem instant relief add=on pursuant to 441 IAC 81.6(16)(h)(9)
 16 8 the total patient days shall be determined using the most
 16 9 current submitted financial and statistical report or using

Modifies the way patient days and bed holds are calculated for non-State owned nursing facilities to revert to original FY 2010 methodology before the ATB.

16 10 the estimated total patient days as reported in the request
16 11 for the add-on. For purposes of calculating the add-on, total
16 12 patient days shall be the greater of the estimated annual total
16 13 patient days or 85 percent of the facility's estimated licensed
16 14 capacity.

16 15 3. For purposes of reconciliation of the capital cost per
16 16 diem instant relief add-on pursuant to 441 IAC 81.6(16)(h)(12),
16 17 for purposes of recalculating the capital cost per diem instant
16 18 relief add-on, total patient days shall be based on the greater
16 19 of the number of actual patient days during the period in which
16 20 the add-on was paid or 85 percent of the facility's actual
16 21 licensed bed capacity during the period in which the add-on was
16 22 paid.

16 23 4. For purposes of periods authorized for payment pursuant
16 24 to 441 IAC 81.10(4), a facility shall hold or reserve a bed
16 25 for periods the resident is absent overnight for purposes
16 26 of hospitalization or prescribed therapeutic leave, not to
16 27 exceed 18 calendar days in any calendar year for prescribed
16 28 therapeutic leave and not to exceed 10 days in any calendar
16 29 month due to hospitalization. Beginning December 1, 2009,
16 30 payment shall not be authorized for reserve or bed hold days
16 31 and the facility shall no longer count nonpaid reserve or bed
16 32 hold days in calculating inpatient days for payment at new
16 33 rates. A medical assistance program payment to the facility
16 34 shall not be initiated while a resident is on reserve bed days
16 35 due to hospitalization unless the person was residing in the
17 1 facility as a private pay resident prior to the hospitalization
17 2 and returns to the facility as a medical assistance program
17 3 recipient resident.

17 4 Sec. 22. DEPARTMENT OF HUMAN SERVICES. Notwithstanding any
17 5 provision to the contrary and subject to the availability of
17 6 funds, there is appropriated from the quality assurance trust
17 7 fund created pursuant to section 249L.4, to the department of
17 8 human services for the fiscal year beginning July 1, 2009, and
17 9 ending June 30, 2010, no more than the following amount or so
17 10 much thereof as is necessary to supplement the appropriations

CODE: Quality Assurance Trust Fund supplemental appropriation for
FY 2010 to the Medicaid Program for Nursing Facility
Reimbursement.

17 11 made for the following designated purposes:
 17 12 To supplement the appropriation made for medical assistance
 17 13 in 2009 Iowa Acts, chapter 182, section 9, to be used for
 17 14 nursing facility reimbursement under the medical assistance
 17 15 program, in accordance with 2009 Iowa Acts, chapter 182,
 17 16 section 32, subsection 1, paragraph "a", and this division of
 17 17 this Act, and to institute the administrative rules changes as
 17 18 directed in this division of this Act:
 17 19 \$ 2,300,000

17 20 The department shall determine the amount of the 5 percent
 17 21 reduction that can be restored, up to 2 percent, within the
 17 22 amount of funds available in the trust fund during the fiscal
 17 23 period specified, and shall adjust rates accordingly.

Requires the Department to determine the funds available and then restore up to 2.0% of the ATB.

17 24 Sec. 23. CONTINGENT IMPLEMENTATION == NOTIFICATION.

17 25 1. Implementation of this division of this Act is contingent
 17 26 upon the department of human services receiving approval of the
 17 27 waivers and the medical assistance state plan amendment by the
 17 28 centers for Medicare and Medicaid services of the United States
 17 29 department of health and human services relating to the quality
 17 30 assurance assessment created in chapter 249L. The department
 17 31 of human services shall notify the chairpersons and ranking
 17 32 members of the joint appropriations subcommittee on health
 17 33 and human services, the legislative services agency, and the
 17 34 legislative caucus staffs upon receipt of such approval.

Specifies that this Division is contingent on approval of the quality assurance assessment fee by the U.S. Department of Health and Human Services. The DHS is required to notify the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, the Legislative Services Agency, and caucus staff when approval occurs.

17 35 2. The costs associated with implementation of this Act
 18 1 shall be funded exclusively through moneys appropriated from
 18 2 the quality assurance trust fund, and shall result in budget
 18 3 neutrality to the general fund of the state for the fiscal year
 18 4 beginning July 1, 2009, and ending June 30, 2010.

Requires the costs associated with implementing this Division to be funded only by receipts from the Quality Assurance Trust Fund.

18 5 DIVISION VIII

This Division provides adjustments to prior appropriations from the

18 6 INFRASTRUCTURE APPROPRIATIONS

Rebuild Iowa Infrastructure Fund (RIIF).

18 7 Sec. 24. 2007 Iowa Acts, chapter 219, section 1, subsection
 18 8 3, paragraph d, is amended to read as follows:
 18 9 d. For the lease payment under the lease=purchase agreement
 18 10 to connect the electrical system supporting the special needs
 18 11 unit at Fort Madison:
 18 12 \$ ~~333,168~~
 18 13 305,404

CODE: Deappropriates \$27,764 of the FY 2008 RIIF appropriation to the Department of Corrections for the payment for a lease purchase agreement to upgrade the electrical system for the Fort Madison Special Needs Facility by reducing the amount from \$333,168 to \$305,404.

DETAIL: The FY 2008 appropriation was the last of the funding for the lease purchase agreement with Alliant Energy. The estimated total cost for the improvements at the time of the appropriation was approximately \$1,600,000. Actual expenses reflect \$305,404, so the balance of \$27,764 from the appropriation would have reverted by the end of FY 2011.

18 14 Sec. 25. 2007 Iowa Acts, chapter 219, section 1, subsection
 18 15 7, is amended to read as follows:
 18 16 7. DEPARTMENT OF HUMAN SERVICES
 18 17 For the renovation and construction of certain nursing
 18 18 facilities, consistent with the provisions of chapter 249K, as
 18 19 enacted in this Act:
 18 20 \$ ~~1,000,000~~
 18 21 200,000

CODE: Deappropriates \$800,000 of the FY 2008 RIIF appropriation to the DHS for the improvements to nursing home facilities.

DETAIL: The Nursing Home Financial Assistance Program was established in HF 911 (FY 2008 Infrastructure Appropriations Act) to support the appropriate number of nursing facility beds for the State's citizens and to financially assist nursing facilities in remaining compliant with applicable health and safety regulations. The DHS received an additional \$600,000 for these purposes in an FY 2009 RIIF appropriation. The FY 2009 appropriation is deappropriated in this Division as well, for a total reduction of \$1,400,000 from the \$1,600,000 appropriated to the DHS for these purposes. According to the infrastructure status reports filed by the DHS in January, the work is complete. The DHS received matching federal funds for the improvements.

18 22 Sec. 26. 2008 Iowa Acts, chapter 1179, section 1, subsection
 18 23 1, paragraph d, is amended to read as follows:
 18 24 d. For costs associated with developing the request for
 18 25 proposals necessary for the procurement and implementation
 18 26 of a human resources module associated with the integrated

CODE: Deappropriates the entire FY 2009 RIIF appropriation to the DAS for costs associated with developing the request for proposal (RFP) for the human resources module of the Integrated Information for Iowa (I/3) System.

DETAIL: The funds were intended to be used to determine the best

18 27 information for Iowa system, notwithstanding section 8.57,
 18 28 subsection 6, paragraph "c":
 18 29 \$ 200,000
 18 30 0

option for completing and implementing the human resources and payroll functions of the I/3 Budget System. The System integrates data systems of State government including human resources, payroll, benefits, electronic procurement, accounting, and budget. Estimated costs for the human resources module are over \$23,000,000. The RFP will not be needed until the State is able to fund the project fully.

18 31 Sec. 27. 2008 Iowa Acts, chapter 1179, section 1, subsection
 18 32 3, paragraph c, is amended to read as follows:
 18 33 c. For a study related to the fifth judicial district
 18 34 department of correctional services, notwithstanding section
 18 35 8.57, subsection 6, paragraph "c":
 19 1 \$ 200,000
 19 2 96,654

CODE: Deappropriates \$103,346 of the FY 2009 RIF appropriation to the Department of Corrections for the study related to the Fifth Judicial District Community-Based Corrections (CBC) Facility by reducing the amount from \$200,000 to \$96,654.

DETAIL: The study was completed to find a suitable location for the Des Moines CBC facility and to add additional beds. The Facility and Site Study Final Report was submitted December 12, 2008.

19 3 Sec. 28. 2008 Iowa Acts, chapter 1179, section 1, subsection
 19 4 4, paragraph d, is amended to read as follows:
 19 5 d. For repairs to the historic Kimball organ located in
 19 6 Clermont, Iowa, notwithstanding section 8.57, subsection 6,
 19 7 paragraph "c":
 19 8 \$ 80,000
 19 9 55,000

CODE: Deappropriates \$25,000 of the FY 2009 RIF appropriation to the Department of Cultural Affairs for funding repairs to the historic Kimball organ located in Clermont by reducing the amount from \$80,000 to \$55,000.

DETAIL: The funds were used to repair the Kimball pipe organ. The organ was constructed in 1896 and is the largest tubular pneumatic organ in the United States. The work will be completed in spring 2010, but the estimated costs were reduced to \$55,000. In addition to the State funding, the project received a federal Save America's Treasures grant from the Institute of Museum and Library Services.

19 10 Sec. 29. 2008 Iowa Acts, chapter 1179, section 1, subsection
 19 11 7, paragraphs a and b, are amended to read as follows:
 19 12 a. For the renovation and construction of certain nursing
 19 13 facilities, consistent with the provisions of chapter 249K:
 19 14 \$ 600,000
 19 15 0

CODE: Deappropriates the entire FY 2009 RIF appropriation to the DHS for the improvements to nursing home facilities.

DETAIL: The Nursing Home Financial Assistance Program was established in HF 911 (FY 2008 Infrastructure Appropriations Act) to support the appropriate number of nursing facility beds for the State's citizens and to financially assist nursing facilities in remaining compliant with applicable health and safety regulations. The DHS

received an additional \$1,000,000 for these purposes in an FY 2008 RIF appropriation. That FY 2008 appropriation is reduced to \$200,000 in this Division as well, for a total reduction of \$1,400,000 from the \$1,600,000 the DHS for these purposes. According to the infrastructure status reports filed by the DHS in January, the work is complete. The DHS received matching federal funds for the improvements.

19 16 b. For a study of ways to enhance access to health insurance
19 17 by registered child development home providers in accordance
19 18 with this section, notwithstanding section 8.57, subsection 6,
19 19 paragraph "c":
19 20 \$ 50,000
19 21 0

CODE: Deappropriates the entire FY 2009 RIF appropriation to the DHS for a Health Insurance Study for Registered Child Development Home Providers.

DETAIL: This appropriation was intended to study one of several recommendations that resulted from the 2007 Home-based Child Care Interim Study Committee. The Committee reviewed options for increasing the number of regulated home-based child care providers. According to the infrastructure status reports filed by the DHS in January, the State appropriation was to be matched by the local American Federation of State, County, and Municipal Employees (AFSCME), but the union has not given any indication of providing the match. The study will not be completed at this time.

19 22 Sec. 30. 2008 Iowa Acts, chapter 1179, section 1, subsection
19 23 9, paragraph c, is amended to read as follows:
19 24 c. For a grant to a city with a population of more
19 25 than 30,500 but less than 31,500, according to the 2006
19 26 estimate issued by the United States bureau of the census,
19 27 notwithstanding section 8.57, subsection 6, paragraph "c":
19 28 \$ 150,000
19 29 135,000

CODE: Deappropriates \$15,000 of the FY 2009 RIF appropriation to the Department of Natural Resources for a grant to the City of Marion by reducing the amount from \$150,000 to \$135,000.

DETAIL: The funds were used to conduct a study of the feasibility of using plasma arc and other related energy technology for disposal of solid waste. Plasma arc gasification is a method of waste management that uses high electrical temperatures created by an electrical arc to break down waste into elemental gas. The study will be completed by June 2010. Final estimates for study costs were \$135,000.

19 30 Sec. 31. 2009 Iowa Acts, chapter 179, section 10, is amended
19 31 by adding the following new unnumbered paragraph:
19 32 NEW UNNUMBERED PARAGRAPH Of the amount appropriated in

CODE: Requires \$883,628 of the FY 2010 appropriation for Performance of Duty to be used to repair storm damage at the State Training School in Eldora. Unused funds carry forward to be used for

19 33 this section, \$883,628 shall be used for storm damage repair
 19 34 at the state training school in Eldora. Notwithstanding
 19 35 section 8.33, moneys allocated in this paragraph that remain
 20 1 unencumbered or unobligated at the close of the fiscal year
 20 2 shall not revert but shall remain available for expenditure
 20 3 for the purposes designated until the close of the succeeding
 20 4 fiscal year.

this purpose in FY 2010.

20 5 Sec. 32. 2009 Iowa Acts, chapter 184, section 5, is amended
 20 6 to read as follows:

CODE: Deappropriates \$22,000,000 of the FY 2010 RIIIF appropriation to the Grow Iowa Values Fund by reducing the amount from \$45,000,000 to \$23,000,000.

20 7 SEC. 5. Notwithstanding the amount of the standing
 20 8 appropriation from the rebuild Iowa infrastructure fund
 20 9 as provided in section 15G.110, subsection 2, there is
 20 10 appropriated from the rebuild Iowa infrastructure fund to
 20 11 the department of economic development for deposit into the
 20 12 grow Iowa values fund, in lieu of the appropriation made in
 20 13 section 15G.110, subsection 2, for the fiscal year beginning
 20 14 July 1, 2009, and ending June 30, 2010, the following amount,
 20 15 notwithstanding section 8.57, subsection 6, paragraph "c":
 20 16 \$ ~~45,000,000~~
 20 17 23,000,000

DETAIL: The Grow Iowa Values Fund receives a standing appropriation of \$50,000,000 from the General Fund until the scheduled sunset at the end of FY 2015. During the 2008 Legislative Session, SF 2432 (FY 2009 Infrastructure Appropriations Act) moved the \$50,000,000 for the Grow Iowa Values Fund from the General Fund to the RIIIF for FY 2009 and FY 2010. During the 2009 Legislative Session, HF 822 (FY 2010 Infrastructure Appropriations Act) reduced the amount to \$45,000,000. According to the Department of Economic Development (DED), a prior appropriation was not fully obligated, so funding will be carried forward to meet the FY 2010 obligations.

20 18 Sec. 33. 2009 Iowa Acts, chapter 184, section 7, is amended
 20 19 to read as follows:

CODE: Reduces the appropriation from the Grow Iowa Values Fund to the DED from \$45,000,000 to \$23,000,000 for FY 2010.

20 20 SEC. 7. REDUCTION OF THE GROW IOWA VALUES FUND
 APPROPRIATION
 20 21 TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT. In lieu of the
 20 22 fifty million dollars appropriated for the fiscal year
 20 23 beginning July 1, 2009, and ending June 30, 2010, from the grow
 20 24 Iowa values fund to the department of economic development
 20 25 pursuant to section 15G.111, subsection 3, if enacted by 2009
 20 26 Iowa Acts, Senate File 344, section 2, there is appropriated
 20 27 from the grow Iowa values fund to the department of economic
 20 28 development for the fiscal year beginning July 1, 2009, and
 20 29 ending June 30, 2010, ~~forty-five~~ twenty-three million dollars

DETAIL: This language reflects the reduced amount for the FY 2010 appropriation from the RIIIF to the Grow Iowa Values Fund.

20 30 for purposes of making expenditures pursuant to chapter 15G.

20 31 Sec. 34. 2009 Iowa Acts, chapter 184, section 8, unnumbered
 20 32 paragraph 1, is amended to read as follows:
 20 33 In lieu of the amounts allocated pursuant to section
 20 34 15G.111, subsections 4 through 10, if enacted by 2009
 20 35 Iowa Acts, Senate File 344, section 2, for the fiscal year
 21 1 beginning July 1, 2009, and ending June 30, 2010, of the
 21 2 ~~forty-five~~ twenty-three million dollars appropriated to the
 21 3 department of economic development pursuant to this division of
 21 4 this Act, the department shall allocate the following amounts
 21 5 for the following purposes as described in section 15G.111,
 21 6 subsections 4 through 10, if enacted by 2009 Iowa Acts, Senate
 21 7 File 344, section 2:

21 8 Sec. 35. 2009 Iowa Acts, chapter 184, section 8, subsection
 21 9 1, is amended to read as follows:
 21 10 1. For departmental purposes, ~~twenty-eight~~ six million
 21 11 eight hundred thousand dollars. Of the moneys allocated
 21 12 pursuant to this subsection and in lieu of the two million
 21 13 dollars allocated for deposit in the renewable fuel
 21 14 infrastructure fund under section 15G.111, subsection 4,
 21 15 paragraph "h", if enacted by 2009 Iowa Acts, Senate File 344,
 21 16 section 2, the department shall allocate one million eight
 21 17 hundred thousand dollars for deposit in the renewable fuel
 21 18 infrastructure fund.

CODE: Reduces the FY 2010 allocation to the DED from the standing limited appropriation of the Grow Iowa Values Fund to adjust for the reduction of \$22,000,000 in the FY 2010 appropriation from the RIIF to the Grow Iowa Values Fund.

CODE: Reduces the FY 2010 allocation to the DED for financial assistance programs from \$28,800,000 to \$6,800,000.

DETAIL: The adjusted allocation changes the amount for the DED to be used for financial assistance programs to reflect the adjusted amount for the FY 2010 Grow Iowa Values Fund (GIVF) appropriation. The language retains the \$1,800,000 from the DED allocation that is deposited in the Renewable Fuel Infrastructure Fund. The DED has moneys from a prior appropriation that are unobligated and will supplement the FY 2010 allocation. Specifically, the DED will be able to use \$22,000,000 of a \$25,000,000 carry forward for FY 2010 financial assistance programs, keeping funding for those programs at the original FY 2010 amount.

NOTE: The allocations from the FY 2010 Grow Iowa Values Fund appropriation are not affected by the overall appropriation reduction. These include:

- \$4,500,000 to the Board of Regents.
- \$900,000 for State parks.
- \$900,000 to the Cultural Trust Fund.
- \$6,300,000 to the Workforce Training and Economic Development Fund.

-
- \$900,000 for regional financial assistance, including \$315,000 transfer to the Iowa State University for establishing small business centers.
 - \$2,700,000 to the Innovation and Commercialization Fund.

21 19 DIVISION IX

21 20 EFFECTIVE DATE

21 21 Sec. 36. EFFECTIVE UPON ENACTMENT. Unless provided
21 22 otherwise, this Act, being deemed of immediate importance,
21 23 takes effect upon enactment.

This Act is effective on enactment.